

**CLOVIS UNIFIED  
SCHOOL DISTRICT**

## PERSONNEL

## General

**LACTATION ACCOMMODATION**

**PURPOSE:** To provide lactation accommodation for employees.

The Board desires to provide a supportive environment for any District employee to express milk for an infant child upon returning to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any District employee for seeking an accommodation to express breast milk for an infant child while at work.

An employee shall notify the employee's supervisor or other appropriate personnel in advance of the intent to request an accommodation. The supervisor shall respond to the request and shall work with the employee to make arrangements. If needed, the supervisor shall address scheduling to ensure that the employee's essential job duties are covered during the break time.

Lactation accommodations shall be granted unless limited circumstances exist as specified in law. (Labor Code 1031, 1032; 29 USC 207)

Before a determination is made to deny lactation accommodations to an employee, the employee's supervisor shall consult with the Superintendent or designee. When lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

The Superintendent or designee shall provide a written response to any employee who was denied the accommodation(s). (Labor Code 1034)

The District shall include this policy in any set of policies that the District makes available to employees. In addition, the Superintendent or designee shall distribute the policy to new employees upon hire and when an employee makes an inquiry about or requests parental leave. (Labor Code 1034)

**Break Time and Location Requirements**

The District shall provide a reasonable amount of break time to accommodate an employee each time the employee has a need to express breast milk for an infant child. (Labor Code 1030)

To the extent possible, any break time granted for lactation accommodation shall run concurrently with the break time already provided to the employee. (Labor Code 1030; 29 USC 207)

The employee shall be provided the use of a private room or location, other than a bathroom, which may be the employee's work area or another location that is in close proximity to the employee's work area. The room or location provided shall meet the requirements in Labor Code section 1031 and 29 USC section 207.

## CLOVIS UNIFIED SCHOOL DISTRICT

### Dispute Resolution

An employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code sections 1030-1034. (Labor Code 1034)

Adopted: 10/21/2020

### EDUCATION CODE

200-262.4 Educational equity; prohibition of discrimination on the basis of sex

### CIVIL CODE

43.3 Right of mothers to breastfeed in any public or private location

### GOVERNMENT CODE

12926 Definition of sex; breastfeeding

12940 Unlawful discriminatory employment practices

12945 Unlawful discrimination based on pregnancy, childbirth, or related medical conditions

### LABOR CODE

1030-1034 Lactation accommodation

6382 Procedure for listing hazardous substances

### CODE OF REGULATIONS, TITLE 2

11035-11051 Unlawful sex discrimination; pregnancy and related medical conditions

### UNITED STATES CODE, TITLE 29

207 Fair Labor Standards Act; lactation accommodation

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